

54TH REGULAR SESSION

CONSTITUTIONAL AMENDMENT—TEACHER RETIREMENT
SYSTEM

S. J. R. No. 5

Proposing an amendment to the Constitution of the State of Texas, amending Section 48a, Article III of the Constitution of the State of Texas, so as to authorize needed changes in and revision of the Teacher Retirement System of Texas; providing that this section shall not amend, alter, or repeal Section 63 of Article 16 of the Constitution of Texas as adopted November, 1954, or any enabling legislation passed pursuant thereto; providing for the necessary election, form of ballot, proclamation, and publication.

Be it resolved by the legislature of the State of Texas:

Section 1. That Section 48a of Article III of the Constitution of the State of Texas be amended so as to read as follows:

"Section 48a. In addition to the powers given the Legislature under Section 48, Article III, it shall have the right to levy taxes to establish a fund to provide retirement, disability and death benefits for persons employed in the public schools, colleges and universities supported wholly or partly by the State; provided that the amount contributed by the State to such fund each year shall be equal to the aggregate amount required by law to be paid into the fund by such employees, and shall not exceed at any time six per centum (6%) of the compensation paid each such person by the State and/or school districts, and shall in no one (1) year exceed the sum of Five Hundred Four Dollars (\$504.00) for any such person; and provided that no person shall be eligible for retirement who has not rendered ten years of creditable service in such employment, and in no case shall any person retire before either attaining the age fifty-five (55) or completing thirty (30) years of creditable service, but shall be entitled to refund of moneys paid into the fund.

"The Legislature may authorize all moneys coming into such fund to be invested in bonds or other evidences of indebtedness of the United States, or of this State, or any county, city, school district, or other municipal corporation or district of this State; or in such other securities as are now or hereafter may be permitted by law as investments for the Permanent University Fund or for the Permanent School Fund of this State; provided a sufficient sum shall be kept on hand to meet payments as they become due each year under such retirement plan, as may be provided by law; and provided that the recipients of such retirement fund shall not be eligible for any other State pension retirement funds or direct aid from the State of Texas, unless such other State pension or retirement fund, contributed by the State, is released to the State of Texas as a condition to receiving such other pension aid; providing, however, that this section shall not amend, alter, or repeal Section 63 of Article 16 of the Constitution of Texas as adopted November, 1954, or any enabling legislation passed pursuant thereto."

Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this State at an election to be held on the first Tuesday after the first Monday in November, 1956, at which election each ballot shall have printed thereon the following words:

"FOR the constitutional amendment empowering the Legislature to revise the existing Teacher Retirement System and to broaden the benefits to employees of public schools, colleges, and universities supported wholly or partly by the State, authorizing that the State's contributions for such purposes shall equal contributions by such employees and provid-

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ing that they do not exceed six per centum (6%) of the compensation paid each such employee by the State or school district or the sum of Five Hundred Four Dollars (\$504.00) for each year for any such employee, regulating the eligibility of such employees for retirement benefits and prescribing the manner of investing money accruing to the retirement fund."

"AGAINST the constitutional amendment empowering the Legislature to revise the existing Teacher Retirement System and to broaden the benefits to employees of public schools, colleges, and universities supported wholly or partly by the State, authorizing that the State's contributions for such purposes shall equal contributions by such employees and providing that they do not exceed six per centum (6%) of the compensation paid each such employee by the State or school district or the sum of Five Hundred Four Dollars (\$504.00) for each year for any such employee, regulating the eligibility of such employees for retirement benefits and prescribing the manner of investing money accruing to the retirement fund."

Each voter shall mark out one of said clauses on the ballot leaving the one expressing his vote on the proposed amendment. If it appears from the returns of said election that a majority of the votes cast were in favor of said amendment, the same shall become a part of the State Constitution and be effective from the date of determination of such result and the Governor's proclamation thereof.

Sec. 3. The Governor of the State of Texas is hereby directed to issue the necessary proclamation for said special election and shall have the same published as required by the Constitution and laws of this State.

Passed the Senate, April 5, 1955: Yeas 26, Nays 0; April 20, 1955,

Senate concurred in House amendments: Yeas 29, Nays 0; passed the House, April 20, 1955, with amendments: Yeas 133, Nays 3.

Approved May 6, 1955.

To be voted at election to be held Nov. 6, 1956.